

**MINUTES  
of the  
FIFTH MEETING IN 2007  
of the  
WELFARE REFORM OVERSIGHT COMMITTEE**

**October 9-10, 2007  
Room 322, State Capitol  
Santa Fe**

The fifth meeting of the Welfare Reform Oversight Committee (WROC) was called to order by Senator Linda M. Lopez, chair, on Tuesday, October 9, at 10:25 a.m. in Room 322 of the State Capitol in Santa Fe. Handouts are in the meeting file.

**Present**

Sen. Linda M. Lopez, Chair  
Rep. Luciano "Lucky" Varela, Vice Chair  
Sen. Sue Wilson Beffort  
Sen. Dianna J. Duran  
Sen. Clinton D. Harden, Jr.  
Sen. Gerald Ortiz y Pino  
Rep. Nick L. Salazar  
Rep. Jim R. Trujillo  
Rep. Shirley A. Tyler  
Rep. Gloria C. Vaughn

**Absent**

Rep. Antonio Lujan  
Sen. John Pinto

**Advisory Members**

Sen. Ben D. Altamirano (10/10)  
Rep. Candy Spence Ezzell  
Rep. Miguel P. Garcia  
Rep. Larry A. Larrañaga  
Rep. Edward C. Sandoval

Rep. Daniel R. Foley  
Rep. Steven P. Neville  
Sen. John C. Ryan

(Attendance dates are noted for those members not present for the entire meeting.)

**Staff**

Jennie Lusk  
Carrie McGovern

**Guests**

The guest list is in the meeting file.

## **Tuesday, October 9**

### **Minutes**

Minutes of the previous two meetings were unanimously approved without amendment on motion of Representative Varela and seconded by Representative Vaughn.

### **Domestic Violence Update**

The chair noted that the first scheduled presenter was unable to attend as his wife was hospitalized. However, because of a matter of some urgency, the chair used this time for a discussion of domestic violence and sexual assault offender treatment and other concerns with delivery of domestic violence and sexual assault prevention services.

Senator Lopez announced that the former executive director of the Coalition Against Domestic Violence had been summarily fired the previous weekend and shared with committee members an email indicating that service providers who remained with the coalition risked their continued funding. She expressed dismay and anger that providers would think legislators were exerting pressure on providers to leave the coalition and expressed concern that board members of the Coalition Against Domestic Violence would feel threatened.

She also expressed concern over the appointment of yet another "czar" or "czarina" not directly accountable to the legislature and the appointment of a "task force" that already has become a "commission" against domestic violence. A member of the commission authored the email that the chair shared with committee members.

Representative Varela noted that domestic violence has been one of the first lady's most important priorities and remarked that it is a shame for the organization of domestic violence services to become political. Senator Beffort talked about bipartisan support for domestic violence programs in local communities. After some discussion, the committee requested that Sharon Pino, domestic violence czar, and Children, Youth and Families Department (CYFD) Secretary Dorian Dodson be asked to appear before the committee as soon as possible. The committee understands that a confidentiality issue between departmental auditors and local providers had been resolved. It noted that domestic violence problems are a huge barrier to getting and keeping a job. Representative Varela said he wants Secretary Dodson to appear before the committee to answer questions about the firing and related issues with coalition members and also to discuss the cash carryover of Temporary Assistance to Needy Families (TANF) funds. He would like to see the whole TANF budget for the current year and the next year.

### **Planning for Future WROC Meetings**

The committee expressed interest in hearing about health coverage reform at its final meeting and would like to hear from Human Services Department (HSD) Secretary Pamela Hyde and Governor Richardson's health policy advisor, Michelle Welby, about priorities.

In further discussion of the domestic violence issue, members requested some detail about TANF funds redirected to local providers, about shelters being operated by Native American providers and about TANF contributions to domestic violence shelters. Members indicated that the November meeting should include information on whether TANF funds have been redirected to local shelters. Discussion ensued about limits on the committee's ability to earmark certain line items in the HB2 budget for services.

The committee also discussed the duties and authorities of the domestic violence czar, asking whether a statutory change is necessary to hold czars accountable to bodies outside the executive branch. The legislators also were curious about where budgets managed by a czar appear and whether or how the legislature exercises oversight over such offices and their budgets.

### **Drug Testing Public Assistance Recipients and Felony Drug Offense Registry**

Lea County Sheriff Rod Coffman introduced a proposal to require random drug testing of public benefit recipients. The sheriff said he would leave it to a legislative sponsor whether to make testing inclusive for marijuana only or for methamphetamine or other drugs, the presence of which would be available through random drug screens. He also said that the consequences of a positive screening could be left to the sponsor. Representative Garcia noted that if a positive screen leads to loss of public benefits, the state should be prepared to rehabilitate the person or propose some alternative and noted that 64% of TANF participants are children.

Senator Beffort asked that the staff find out whether federal regulations allow for random drug screening for benefits and said that the pool of persons subject to random drug screening would rightly be expanded to include all public employees if public benefits recipients are screened. Senator Lopez said that allowing tax-supported persons to be screened would lead to testing being required for those with SSI benefits and contractors for government jobs. She also questioned whether testing should include alcohol and tobacco.

Sheriff Coffman said he thinks the results would show that half of the drug usage involves illegal drugs, but another half could be traced to illegal use of legal drugs. Senator Lopez asked for hard data demonstrating whether the problem is regional, statewide or national so that the committee can consider whether to endorse such a plan. Committee members discussed the need for better-funded substance abuse treatment and talked about the lengthy wait for treatment. Senator Beffort suggested an audit of the state prison population to see how many inmates have been convicted for drug crimes, i.e., for drug crimes alone and not in conjunction with a secondary crime such as robbery.

### **Outreach for Public Assistance; House Joint Memorial 18**

Gail Evans, attorney at the New Mexico Center on Law and Poverty, said that little additional legislation would be required if the HSD would track and report the items mentioned in House Joint Memorial 18, which was sponsored by Representative Varela. The memorial called for the department to conduct additional outreach regarding Medicaid eligibility; to simplify the application and eligibility process; to give a receipt for paperwork turned in by

clients; to translate forms into Spanish as well as English; to minimize client wait time; and to maximize cross eligibility for welfare and other programs. She noted that the center and the department have begun to work together to make some changes toward implementation of the memorial. Katie Falls, deputy secretary, HSD, agreed with elements of the memorial, noting that the department recognizes that the number of uninsured persons remains a problem in New Mexico and that outreach needs to be improved. Representative Varela asked Ms. Falls whether the department requested more caseworkers, to which Ms. Falls responded that it had and is also proposing to reclassify caseworkers to help them earn higher wages.

#### **Appearance by Secretary Dodson, CYFD, and Sharon Pino, Domestic Violence Czar**

Secretary Dodson and Ms. Pino appeared before the committee within hours of being requested to appear to answer the committee's questions about funding and organizational responsibility. Senator Lopez expressed her concern that some persons may be under the mistaken impression that the legislature is threatening to cut funding for members of the Coalition Against Domestic Violence and expressed her view that the newly created Domestic Violence Commission does not have credibility when it comes to the legislature. She questioned the state's commitment to resolving domestic violence issues. She and Representative Varela requested written responses to the committee's concerns.

#### **Individual Development Accounts**

Sally Moore, Ona Porter and Sharon Henderson discussed the importance of individual development accounts (IDA) in helping low-income clients attain a level of financial security that allows them to make long-term purchases and to invest in themselves and their futures. Ms. Porter noted that the IDA program is effective in changing people's lives.

Through the IDA program, various funders match the savings of low-income clients while the clients save money for the purchase of a first home, a small business, higher education or transportation. Of the current clients with IDAs, 204 are women who are heads of households and 19 are men. Senator Beffort expressed her concern that the IDA presenters did not make it clear enough to legislators in the last session that the IDA program is not a giveaway, but a match.

Ingrid Mitchell, a single parent with a 12-year-old son, testified about her experiences with the IDA. She started in June 2006 and has saved \$900. She is now a community college graduate and will attend the University of New Mexico to major in Native American studies. She has now gotten her son and her sister into the IDA program.

Other presenters included Mario Prieto of the Community Action Agency of Southern New Mexico and Deanna Everingham, who works on social enterprise. Jessica Meyer from the Women's Economic Self-Sufficiency Team (WESST) Corporation described the corporation's IDA caseload, which has included 122 participants, 60 of whom finished the program already. WESST serves Bernalillo, Sandoval, Valencia and Dona Ana counties. There are 400 persons on the waiting list. Ruth Hoffman, executive director of the Lutheran Office of Governmental Ministry (LOGM), gave public comment on the importance and integrity of the projects.

The meeting recessed at 4:55 p.m.

### **Wednesday, October 10**

The meeting was reconvened at 9:24 a.m. by Representative Varela.

#### **ValuOptions Substance Abuse Programs Related to Domestic Violence**

Jim Clarkson, substance abuse director for ValuOptions, and Bill Belzner, deputy director of the Behavioral Health Collaborative, gave a presentation to the committee related to its questions from the previous month, when a Canadian presenter described the importance of substance abuse programs for domestic violence offenders. They said they are aiming to strengthen the capacity of behavioral health programs. Committee members asked where their salaries were budgeted and to whom they are accountable. Mr. Belzner said his salary comes from the Aging and Long-Term Services Department, but that he is "detailed" to the Behavioral Health Collaborative. The committee members also asked about the organizational structure of the collaborative and ValuOptions and expressed their concerns that salaries and responsibilities are not clearly outlined within HB2 for those services, therefore leaving little accountability.

ValuOptions, according to Mr. Clarkson, has 159 employees who are not employees of the state. His single function is to keep ValuOptions accessible to priority areas. In addition, he estimated that there are 75 to 80 state employees involved directly with the ValuOptions programs. Senator Ortiz y Pino expressed his concerns about the state's lack of innovation in alcohol treatment and training. Senator Beffort asked about detoxification programs, and Mr. Clarkson replied that he did not know where such programs are in New Mexico. She also expressed concern about a lack of detoxification programs and the possibility that a person would be shifted to uncompensated care because of an improper assumption.

#### **Child Support Enforcement Programs**

Charissa Saavedra, director, Child Support Enforcement Division, HSD, reported that the division has collected \$95.3 million in back child support. All TANF cases are automatically referred to the division. On questions from the committee, Ms. Saavedra said that she will be asking for more trainers for the program and hopes to start a stand-alone office in Hobbs. The caseload of most offices is 700, though 300 or 400 is reasonable.

She discussed with legislators the particulars of her program, which are contained in the handout she circulated. Representative Garcia questioned the wisdom of suspending the driver's licenses of parents in arrears because having no license can make it more difficult to work.

#### **Homelessness Initiatives**

Hank Hughes, executive director of the New Mexico Coalition Against Homelessness, presented the priorities of the coalition. He talked about the special importance of housing to young people, who can perform better in school if they are able to stay the whole year in a single home. The coalition advocates establishment of a trust fund for housing in the amount of \$12

million. Representative Varela encouraged Mr. Hughes to go to the New Mexico Mortgage Finance Authority (MFA) with its proposal before the next legislative session. Representative Trujillo said that few legislators are well-educated on homelessness problems or recognize how many children are homeless, urging his peers to create a revenue stream to help avoid homelessness. Mr. Hughes said that the MFA emphasizes home ownership, while many homeless persons need only a place to rent or stay in, rather than to purchase. He said there is a need for rental homes. Senator Beffort asked for an inventory of what types of housing are available statewide.

**Adjournment**

The committee adjourned at 12:55 p.m.